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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,707	12/26/2001	DeWayne L. Hays	MET580/4-1	4190

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EXAMINER
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SHECHTMAN, CHERYL MARIA

ART UNIT	PAPER NUMBER
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2163

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/12/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/035,707

Applicant(s)

HAYS ET AL

Examiner

Cheryl M. Shechtman

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 49-73 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 49-73 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This communication is in response to the Request for Continued Examination filed October 30, 2006. Claims 1-48 have been cancelled. Claims 49-73 have been newly added.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 53-60 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring to claims 53 and 58, that depends from claim 49, the claims recite the limitation "said one or more remote computers". However, it is unclear as to which of the "one or more remote computers" in claim 49 are being referred to.

Referring to claim 56, that depends from claim 49, the claim recites the limitation "said remote computer". However, it is unclear as to which of the remote computers in claim 49 are being referred to.

Due to the 35 USC 112 rejections above, the claims are interpreted as best understood by the examiner.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 49-52 and 61-64 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,370,582 issued to Lim et al (hereafter Lim).

Referring to claim 49, Lim discloses a method of providing private security services (Abstract; Field of Invention; col. 10, lines 3-12) comprising:

- providing an electronic security system (web base network controller, Fig. 2, element 24) comprising a processing unit (CPU, Fig. 2, element 32) capable of electronic communication through a computer network (col. 2, lines 55-67; col. 4, lines 50-62) with one or more remote computers located at one or more remote locations (remote workstation, Fig. 1, element 26; col. 4, lines 50-62), said security system further comprising at least one storage device for receiving and storing information pertaining to private security services (col. 10, lines 3-12) provided at said one or more remote locations by one or more private security officers (SMS security administrator program database within web base network controller 24 stores user/administrator log-in information, col. 9, lines 40-57; Fig. 4, elements 72 and 84);

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- receiving security data entered into one or more remote computers at one or more remote locations by said one or more private security officers, said security data pertaining to at least one security related event (remote terminal control unit (Fig. 2, element 22; Fig. 3) receives security data through input access control devices (Fig. 3, elements 28 and 52-58), col. 6, line 64 – col. 7, line 41; user name and password pertaining to user log-in access security, col. 9, lines 29-57); and
- receiving timekeeping data pertaining to a portion of one or more security officer's work shifts at a remote location (time clocking reports, col. 9, lines 12-18).

Referring to claim 61, the limitations of the claim are similar to the limitations of claim 49 above in the form of a security system (web base network controller, Fig. 2, element 24). As such, claim 61 is rejected for the same reasons as claim 49 above.

Referring to claims 50 and 62, Lim discloses that the security data comprises text files, visual images, video or audio data pertaining to at least one security event (images such as retina eye-scans and skin prints; audio such as voice identification and microphones; video such as video and digital cameras, col. 7, lines 19-41).

Referring to claims 51, 52, 63, and 64, Lim discloses that said timekeeping data further comprises clock-in data pertaining to a beginning of a work shift and clock-

out data pertaining to an end of a work shift (time clocking reports, col. 9, lines 12-18) [*Examiner respectfully submits that time clocking reports by their very nature include clock-in and clock-out data pertaining to a work shift*].

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 53-55, 58, 59, and 65-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,370,582 issued to Lim et al (hereafter Lim), as applied to claims 52 and 61 above respectively, in view of US Patent Number 6,449,611 issued to Frankel et al (hereafter Frankel), and further in view of US Publication 2002/0069145 by Collado et al (hereafter Collado).

Referring to claims 53 and 65, Lim discloses all of the above claimed subject matter, however remains silent as to specifically using a graphical user interface for entering security and time-keeping data.

However, Frankel teaches analogous art that includes using a graphical user interface for entering security data in the form of a web site (col. 11, lines 6-10; stolen asset information fields, col. 10, line 43 – col. 11, line 18; see Fig. 2, elements 28 and 30 for posting fields for missing goods, col. 6, lines 1-45).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Lim to include a graphical user interface for entering security data, as taught by Frankel.

The ordinary skilled artisan would have been motivated to modify Lim per the above for the purpose of enabling a user to post messages for missing goods or inquire for good being sought after on a web site (Frankel, col. 6, lines 1-20; Fig. 1).

Still referring to claims 53 and 65, while the combination of Lim/Frankel discloses all of the above claimed subject matter, it remains silent as to specifically using a graphical user interface for entering time-keeping data.

However, Collado teaches analogous art that includes using a graphical user interface for entering time-keeping data (para. 6 and 39).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify the combination of Lim/Frankel to include a graphical user interface for entering time-keeping data, as taught by Collado.

The ordinary skilled artisan would have been motivated to modify the combination of Lim/Frankel per the above for the purpose of providing a smart user interface that only accepts timecard data for projects assigned to a given user (Collado, para. 6).

Referring to claims 54 and 66, the combination of Lim/Frankel/Collado discloses one or more daily activity report templates having one or more data fields for security

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data (Lim, col. 9, lines 13-18; Frankel, stolen asset information fields, col. 10, line 43 – col. 11, line 18; see Fig. 2, elements 28 and 30 for posting fields for missing goods, col. 6, lines 1-45).

Referring to claims 55 and 67, the combination of Lim/Frankel/Collado discloses updating said storage device with said security data and timekeeping data (Lim, col. 8, line 64 – col. 9, line 4; Collado, para 67-68).

Referring to claim 58, the combination of Lim/Frankel/Collado discloses receiving log-in information entered into said one or more remote computers by said one or more security officers through said computer network; creating a record of the time at which said officer logs into the system; generating clock-in data pertaining to a beginning of a work shift; and associating said clock-in data with said security officer who entered said log-in information (Lim, col. 9, lines 12-18 and 54-57; col. 6, lines 38-55).

Referring to claim 59, the combination of Lim/Frankel/Collado discloses receiving log-out information entered into a remote computer by said security officer through said computer network; creating a record of the time at which said officer logs out of the system; generating clock-out data pertaining to an end of a work shift; and associating said clock-out data with said security officer who entered said log-out information (Lim, col. 9, lines 12-18 and 54-57; col. 6, lines 38-55).

5. Claims 56 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lim, as applied to claim 49, and further in view of US Publication Number 2003/0115023 by Nickerson et al (hereafter Nickerson).

Referring to claim 56, Lim discloses all of the above claimed subject matter, however, it remains silent as to the system not accepting timekeeping data entered in a remote computer without first receiving said security data from said security officer.

However Nickerson teaches analogous art that includes configuring a website not to accept log-out data from a user until a report is submitted (Abstract; para. 6; see claims 1 and 14 of Nickerson).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Lim to include a system that does not accept timekeeping data entered in a remote computer without first receiving security data from a user, as taught by Nickerson.

The ordinary skilled artisan would have been motivated to modify Lim per the above for the purpose of allowing the owner of a website to access the submitted reports concerning a particular website (Nickerson, Abstract, para. 7).

Referring to claim 57, the combination of Lim/Nickerson discloses that the security data comprises a daily activity security report (Lim, col. 9, lines 13-18).

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6. Claim 60 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lim, in view of Frankel, in view of Collado, as applied to claim 59, and further in view of Nickerson.

Referring to claim 60, the combination of Lim/Frankel/Collado discloses all of the above claimed subject matter and also discloses a daily activity report (Lim, col. 9, lines 13-18), however, it remains silent as to the system refusing to allow said security officer to log out of the system until a report has been submitted.

However Nickerson teaches analogous art that includes configuring a website not to accept log-out data from a user until a report is submitted (Abstract; para. 6; see claims 1 and 14 of Nickerson).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify the combination of Lim/Frankel/Collado to include a system that refuses to allow a security officer to log out of a system until a report has been submitted, as taught by Nickerson.

The ordinary skilled artisan would have been motivated to modify the combination of Lim/Frankel/Collado per the above for the purpose of allowing the owner of a website to access the submitted reports concerning a particular website (Nickerson, Abstract, para. 7).

7. Claims 68-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lim, in view of Frankel, in view of Collado, as applied to claim 67, and further in view of Nickerson.

Referring to claim 68, the combination of Lim/Frankel/Collado discloses all of the above claimed subject matter, however, it remains silent as to the system not accepting timekeeping data entered in a remote computer without first receiving said security data from said security officer.

However Nickerson teaches analogous art that includes configuring a website not to accept log-out data from a user until a report is submitted (Abstract; para. 6; see claims 1 and 14 of Nickerson).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify the combination of Lim/Frankel/Collado to include a system that does not accept timekeeping data entered in a remote computer without first receiving security data from a user, as taught by Nickerson.

The ordinary skilled artisan would have been motivated to modify the combination of Lim/Frankel/Collado per the above for the purpose of allowing the owner of a website to access the submitted reports concerning a particular website (Nickerson, Abstract, para. 7).

Referring to claim 69, the combination of Lim/Frankel/Collado/Nickerson discloses that the security data comprises a daily activity security report (Lim, col. 9, lines 13-18).

Referring to claim 70, the combination of Lim/Frankel/Collado/Nickerson discloses receiving log-in information entered into said one or more remote

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computers by said one or more security officers through said computer network; creating a record of the time at which said officer logs into the system; generating clock-in data pertaining to a beginning of a work shift; and associating said clock-in data with said security officer who entered said log-in information (Lim, col. 9, lines 12-18 and 54-57; col. 6, lines 38-55).

Referring to claim 71, the combination of Lim/Frankel/Collado/Nickerson discloses receiving log-out information entered into a remote computer by said security officer through said computer network; creating a record of the time at which said officer logs out of the system; generating clock-out data pertaining to an end of a work shift; and associating said clock-out data with said security officer who entered said log-out information (Lim, col. 9, lines 12-18 and 54-57; col. 6, lines 38-55).

Referring to claim 72, the combination of Lim/Frankel/Collado/Nickerson discloses that refusing to allow said security officer to log out of the system until a daily activity report has been submitted (Lim, col. 9, lines 13-18; Nickerson, Abstract; para. 6).

8. Claim 73 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lim, in view of Frankel, in view of Collado, and further in view of Nickerson.

Referring to claim 73, Lim discloses a method of providing private security services (Abstract; Field of Invention; col. 10, lines 3-12) comprising:

- providing an electronic security system (web base network controller, Fig. 2, element 24) comprising a processing unit (CPU, Fig. 2, element 32) capable of electronic communication through a computer network (col. 2, lines 55-67; col. 4, lines 50-62) with one or more remote computers located at one or more remote locations (remote workstation, Fig. 1, element 26; col. 4, lines 50-62), said security system further comprising at least one storage device for receiving and storing information pertaining to private security services (col. 10, lines 3-12) provided at said one or more remote locations by one or more private security officers (SMS security administrator program database within web base network controller 24 stores user/administrator log-in information, col. 9, lines 40-57; Fig. 4, elements 72 and 84);
- receiving security data entered into one or more remote computers at one or more remote locations by said one or more private security officers, said security data pertaining to at least one security related event (remote terminal control unit (Fig. 2, element 22; Fig. 3) receives security data through input access control devices (Fig. 3, elements 28 and 52-58), col. 6, line 64 – col. 7, line 41; user name and password pertaining to user log-in access security, col. 9, lines 29-57); and
- receiving timekeeping data pertaining to a portion of one or more security officer's work shifts at a remote location, wherein said timekeeping data further comprises clock-in and clock-out data pertaining to a beginning of a work-shift and clock-out data pertaining to an end of the work shift (time clocking reports,

col. 9, lines 12-18) [*Examiner respectfully submits that time clocking reports by their very nature include clock-in and clock-out data pertaining to a work shift*].

Referring to claim 73, Lim discloses all of the above claimed subject matter and also discloses daily activity reports (col. 9, lines 13-18), however remains silent as to specifically using a graphical user interface for entering security and time-keeping data; report templates having one or more data fields for security data, refusing to allow said security officer to log out of the system until a report has been submitted

However, Frankel teaches analogous art that includes using a graphical user interface for entering security data in the form of a web site and report templates having one or more data fields for security data (col. 11, lines 6-10; stolen asset information fields, col. 10, line 43 – col. 11, line 18; see Fig. 2, elements 28 and 30 for posting fields for missing goods, col. 6, lines 1-45).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Lim to include a graphical user interface for entering security data and report templates having one or more data fields for security data, as taught by Frankel.

The ordinary skilled artisan would have been motivated to modify Lim per the above for the purpose of enabling a user to post messages for missing goods or inquire for good being sought after on a web site (Frankel, col. 6, lines 1-20; Fig. 1).

Still referring to claim 73, while the combination of Lim/Frankel discloses all of the above claimed subject matter, it remains silent as to specifically using a graphical user interface for entering time-keeping data.

However, Collado teaches analogous art that includes using a graphical user interface for entering time-keeping data (para. 6 and 39).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify the combination of Lim/Frankel to include a graphical user interface for entering time-keeping data, as taught by Collado.

The ordinary skilled artisan would have been motivated to modify the combination of Lim/Frankel per the above for the purpose of providing a smart user interface that only accepts timecard data for projects assigned to a given user (Collado, para. 6).

Still referring to claim 73, while the combination of Lim/Frankel/Collado discloses all of the above claimed subject matter, it remains silent as to the system refusing to allow said security officer to log out of the system until a daily activity report has been submitted.

However Nickerson teaches analogous art that includes configuring a website not to accept log-out data from a user until a report is submitted (Abstract; para. 6; see claims 1 and 14 of Nickerson).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify the combination of Lim/Frankel/Collado to include a system that refuses to allow a security officer to log out of a system until a report has been submitted, as taught by Nickerson.

The ordinary skilled artisan would have been motivated to modify the combination of Lim/Frankel/Collado per the above for the purpose of allowing the owner of a website to access the submitted reports concerning a particular website (Nickerson, Abstract, para. 7).

### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl M Shechtman who can be reached on (571) 272-4018. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CMS  
January 2, 2007



WILSON LEE  
PRIMARY EXAMINER